

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

School Education Department – The Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 – Recommendation of the Committee for regulation of Fee Structure in Private unaided Schools – Notification -Orders –Issued.

EDUCATION (SE:P.S-I) DEPARTMENT

G.O.Ms.No. 91

Dated: 06.08.2009

Read the following:-

1. G.O.Ms.No.1, Education Department dated 01.01.1994.
2. G.O.Rt.No.376, Education Department dated 18.06.2009.

ORDER:

It was brought to the notice of Government that certain private educational institutions are exploiting the parents by hiking fee indiscriminately and some of them also luring them with attractive names such as IIT Olympiad / Concept / e-Techno / e-shastra etc and collecting exorbitant fees. In this situation, it is felt by the Government that there is every need to regulate the collection of fee by Private unaided Schools.

2. However, the intention of Government is only to prevent and curb such exploitation by the school managements, without interfering on their independent functioning. It is not the intention of the Government to impose an irrational fee structure and endanger the viability of the schools to provide quality education.

3. In the circumstances stated above, Government have constituted a Committee in the G.O. 2nd read above, to look into the fee structure in the Private Schools with the following members:

1. Commissioner, Intermediate Education
2. The District Collector, Hyderabad
3. Additional Secretary, Law Department
4. Joint Director o/o Director of School Education
5. Sri Narayana Reddy, Principal & Correspondent, Warangal.

4. The Committee conducted meetings with stake holders, studied judgment of various High Court, Supreme Court and created a separate cell to obtain representations from the people and finalized its recommendations. The Committee submitted its report to Government on 3-7-2009.

5. The Committee in its report stated that the Hon'ble Supreme Court in several judgments held that there could be no rigid fee structure for all schools alike and each institution should have the freedom to fix its own fee structure after taking into account

the need to generate funds for administration of the institution and provide facilities to the students and however there can no profiteering and commercialization.

6. Government have examined the recommendations of the committee appointed in the G.O. 2nd read above and issues following orders for compliance by Private Unaided Schools.

7. The following notification shall be published in A.P. Gazette:

NOTIFICATION

In exercise of the powers conferred by Section 7 of the Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (A.P. Act No.5 of 1983) the Government of Andhra Pradesh hereby regulate the fee in private unaided schools in the State as follows:

Private unaided schools may levy and collect the following fees:

1) FEES:

(a) One time fees:

- (i). Application fee not exceeding Rs.100/-
- (ii). Registration fee not exceeding Rs.500/-
- (iii). Refundable non interest bearing Caution Deposit not exceeding Rs.5,000/- and the same shall also be submitted to DFRC with due justification for approval
- (iv). No other fee by any name, whatsoever, shall be charged as a onetime measure.

(b) Tuition fees:

- (i). Tuition fee shall be fixed basing on the salaries paid to the teachers and staff, retirement benefits, running expenditure, infrastructure and facilities available including any Special fee, for any specific purpose and Development fee.
- (ii). The tuition fee shall be collected in not less than 3 installments
- (iii). Any activity which is not directly linked to education, if provided, shall be optional to the student and shall not be built as part of the tuition fee

c) User charges:

- (i). The school shall necessarily notify a minimum of 3 shops in the town where books / note books/ stationery are available. Sale of books / note books/ Stationery at School Counter, if any, shall be made at a Discount.
- (ii). It shall not be compulsory to purchase uniforms from the designated shops or Sales Counter of the school. The students shall have option to purchase the Uniform from the outside outlets of his choice as per the specifications prescribed by the School.
- (iii). The transportation fee shall be fixed with a slab of 5 KMs
- (iv). Private Schools are advised not to run school beyond stipulated time. In case extra classes are held, it should be optional for children to attend extra classes and no extra fee shall be charged for this.
- (v). Private Schools are advised against issuing advertisements about their results in News Papers. In case they do so, the cost of advertisement shall not be included in the fee structure.
- (vi). Interim Measure of fee for the academic year 2009-10:- Until District Fee Regulatory Committee (DFRC) approves fee for the school for the academic year of 2009-10, the School shall charge fee as was charged during 2008-09 academic year.

2) SEPARATE ACCOUNT:

- (i). Separate Account shall be maintained for collection of different type of fees and each item of expenditure
- (ii). The schools which have more than one branch under the same management shall maintain accounts in respect of branch for each item of expenditure separately

3) PRIVATE UNAIDED SCHOOLS NOT TO CHARGE FEE MORE THAN THE FEE FIXED BY THE DFRC:

- (i). DFRC shall approve the fee for each private unaided school within its jurisdiction.
- (ii). If schools collect fee more than the fee approved by the DFRC, it shall be treated as capitation fee and Management shall be liable for action under the provisions of Andhra Pradesh Educational Institutions (Regulation of admissions and Prohibition of Capitation Fee) Act, 1983. The recognition granted to the school and NOC issued shall be withdrawn after giving due notice.

4) FEE REGULATORY COMMITTEE:

The District Fee Regulatory Committee (DFRC) comprising of (a) the District Collector or his nominee not below the rank of Joint Collector, (b) the District Educational Officer concerned and (c) the District Audit Officer / Auditor of Pay & Accounts Officer shall be constituted for approving fee structure for all private unaided schools in the respective District.

5) GOVERNING BODY:

- (i). The Governing Body of school shall submit audited statements along with proposed fee structure to District Fee Regulatory Committee before the 30th of September and the District Fee Regulatory Committee shall accord approval after giving opportunity of being heard to management of private unaided school and the representation of parents, before the 31st December in respect of the fee structure for the next academic year.
- (ii). The Governing Body of the school shall be constituted as per G.O.Ms.No.1, Education Department dated 1.1.1994.

6) VALIDITY OF THE FEE STRUCTURE:

The fee structure approved by District Fee Regulatory Committee shall be valid for a period of 3 academic years but Management may increase fee every year based on the increase in Consumer Price Index. However, District Fee Regulatory Committee also reserves the right to review its decision on reasonable grounds suo-motto or on representation from the parents or management of the school.

7) APPELLATE AUTHORITY:

An appeal against the decision of District Fee Regulatory Committee shall lie to the Commissioner and Director of School Education.

8) GENERAL:

- (i). Private Managements shall not put names of schools such as IIT Olympiad/ Concept/ e-Techno/ e-shastra.

- (ii). The Committee constituted in G.O.Rt.No.376, Education (SE:PS.I) Department, dated 18.06.2009 shall submit detailed guidelines for the guidance of the District Fee Regulatory Committee, and formats for submission of statement by Management to District Fee Regulatory Committee.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SURESH CHANDA
SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationary and Stores Purchase,
Chanchalguda, Hyderabad. (with a request to supply 1000 copies immediately)
The Commissioner & Director of School Education, A.P., Hyderabad
All District Collectors in the State
All RJDSEs in the State
All DEOs in the State.

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Commissioner of Intermediate Education
SF/SC

// FORWARDED::BY ORDER//

SECTION OFFICER